

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MR. KERIUM ALLEN GARRICK, SR. :  
: Plaintiff, : CIVIL ACTION  
v. : : NO. 13-4899  
CITY OF PHILADELPHIA, ET AL., :  
: Defendant.

**ORDER**

AND NOW, this 10<sup>th</sup> day of April 2014, upon careful consideration of Kerium Allen Garrick's petition under 28 U.S.C. § 2241 for writ of habeas corpus (Doc. 5), the Magistrate Judge's Report and Recommendation, and petitioner's objections thereto, **IT IS HEREBY ORDERED** that:

1. Petitioner's objections are overruled;
2. The Report and Recommendation of Magistrate Judge Timothy R. Rice is Approved and Adopted;
3. The petition for writ of habeas corpus is **DISMISSED** without prejudice as to the unexhausted claims and **DISMISSED** with prejudice as to the non-cognizable claims.;
4. Petitioner having failed to make a substantial showing of the denial of a constitutional right, there is no ground to issue a certificate of appealability; and
5. The Clerk shall **CLOSE** this case for statistical purposes.

/s/ William H. Yohn Jr.  
William H. Yohn Jr., Judge